

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

JUAN MANUEL REYES,

Plaintiff,

v.

SUSAN WASHBURN, Superintendent of
EOCI, **ANDREA NEISTADT**, Assistant
Superintendent of EOCI, **L. LEGORE**, Law
Library Supervisor of EOCI, **C. BOLLES**,
Law Library Coordinator, **CAPT. J.**
WALKER, Operations Capt., **CAPT. T.**
STEWART, Institutional Capt., **P.**
VILLERS, Law Library Coordinator of
E.O.C.I., and **MS. M. JOHNSON**, Law
Library Coordinator of E.O.C.I.,

Defendants.

Case No. 2:21-cv-01175-SB

**OPINION AND ORDER ADOPTING
JUDGE BECKERMAN'S FINDINGS
AND RECOMMENDATION DENYING
PLAINTIFF'S MOTIONS FOR
PRELIMINARY INJUNCTION AND
TEMPORARY RESTRAINING
ORDER**

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Molly K. Honore, Chad A. Naso, Jermaine Brown, Kerry J. Shepherd, R. Kyle Busse, and April
Stone, Markowitz Herbold PC, 1455 SW Broadway, Suite 1900, Portland, OR 97201. Attorneys
for Defendants.

IMMERGUT, District Judge.

Plaintiff has not filed any objections to Judge Beckerman's Findings and Recommendation ("F&R"), ECF 65, recommending the denial of his Motions for Preliminary Injunction and Temporary Restraining Order, ECF 48. Nonetheless, this Court has reviewed the F&R and ADOPTS Judge Beckerman's F&R.

STANDARDS

Under the Federal Magistrates Act ("Act"), as amended, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge's F&R, "the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act "does not preclude further review by the district judge, *sua sponte*" whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

Judge Beckerman's F&R, ECF 65, is adopted in full. This Court DENIES Plaintiff's Motions for Preliminary Injunction and Temporary Restraining Order, ECF 48.

IT IS SO ORDERED.

DATED this 30th day of January, 2024.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge